

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

MARVELLOUS KEENE, : ***DEATH PENALTY CASE***  
Petitioner, : ***No Scheduled Execution Date***  
vs. : Case No. C-1-00-421  
BETTY MITCHELL, *et al.*, WARDEN, : JUDGE BECKWITH  
Respondents. : MAGISTRATE JUDGE MERZ

**AFFIDAVIT OF RAYL L. STEPTER**

STATE OF OHIO :  
 :  
COUNTY OF FRANKLIN :

I, Rayl L. Stepter, being first duly sworn, depose and say:

I am competent to testify and have personal knowledge of the matters stated in this Affidavit.

1. I am an attorney licensed to practice law in the State of Ohio. I presently maintain an office located at 111 West Rich Street, Suite 430, Columbus, Ohio 43228.
2. I am co-counsel for Petitioner Marvellous Keene in the action Keene v. Betty Mitchell, Warden, C-1-00-421.
3. I obtained a copy of the trial transcript in the case of State of Ohio v. Weston Lee Howe, Case No. 92 CR 1673 (Montgomery County, 1992) from the Clerk of Court of the Montgomery County Court of Common Pleas. A true and accurate copy of the pertinent part of that transcript is being filed electronically with the Clerk of Court of the U.S. District Court, Southern District of Ohio, Western Division as part of Petitioner's

Motion to Expand the Record.

FURTHER AFFIANT SAYETH NAUGHT

  
\_\_\_\_\_  
Rayl L. Stepler

Subscribed and sworn to before me on this 5<sup>th</sup> day of October  
2004.

  
\_\_\_\_\_  
Notary Public

JOHN S. MARSHALL  
State of Ohio  
Life Notary Commission